

## STATEMENT OF PURPOSE

### RS20340

The Department of Environmental Quality is required by the Clean Water Act to have a plan to implement the State's antidegradation policy. In 2010 the agency undertook negotiated rulemaking to revise its water quality standards to include procedures for implementing that policy. This process produced a pending rule that is before the legislature. For that rule to work properly, several changes to the water quality statute are needed.

1. This legislation changes the definition of "Lower water quality" in Idaho Code Section 39-3602 (13). The current definition of lower water quality will not work with the proposed implementation plan.
2. This legislation approves changes to the Outstanding Resource Water antidegradation provisions in the water quality standards. Idaho Code requires that any rule relating to outstanding resource waters won't take effect unless enacted by statute.
3. It is anticipated that some provisions of the pending rule will be rejected by the legislature. This legislation replaces those provisions with language that is more consistent with the intent of Title 39, Chapter 36.

### FISCAL NOTE

No fiscal impact.

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